

Amendments to the Drawings

The attached replacement sheet of a drawing includes changes to Fig. 1, where block 17 has been relabeled as a “demodulator.” The replacement sheet is intended to replace Fig. 1 currently before the Examiner.

Attachment: Replacement Sheet

Remarks

Claims 1-10 are currently pending in the Application.

Claim amendments

This response amends Claim 1 to clarify the scope of the invention. Support for the Claim 1 amendment can be found, for example, on Figure 1 and page 10, line 27 to page 11, line 8 of the specification.

Drawing objection

The Examiner objects to Figure 1 for identifying block 17 as a “modulator” when in the specification block 17 is identified as a “demodulator.” The response amends Figure 1 by identifying block 17 as a “demodulator.”

35 U.S.C. §102(b) Rejection

Claims 1-6 and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bliss (U.S. Patent No. 5,966,415). Applicants respectfully disagree.

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants submit that Bliss does not teach each and every element as set forth in the rejected claims. In particular:

Claim 1

Applicants submit that Bliss does not disclose, suggest or teach, *inter alia*, at least the following features recited by Claim 1, as amended, of the present application:

“a phase-correction device for correcting phases of said sample-value series according to a phase-error signal; **a phase-detection device for detecting said sample-value series whose phase has been corrected by the phase-correction device** and for generating the phase-error signal” (emphasis added)

Applicants submit that the Examiner failed to comply with 37 C.F.R. §1.104(c)(2) which states:

“In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes invention other than that claimed by Applicant, **the particular part relied on must be designated as nearly as practicable**. The pertinence, if not apparent, must be clearly explained and each rejected claim specified” (emphases added).

Applicants submit that the Examiner has failed to “designate as nearly as practicable” the particular part of Bliss relied upon in making the assertion that Bliss teaches “a phase-detection device” as recited in Claim 1.

The Examiner appears to consider Bliss’s loop filter “126” as disclosing both a “phase-correction device” and “a phase detection device” as recited in Claim 1. See page 3, lines 6-9 of the Office Action. If that is the case, Applicants respectfully request that the Examiner “designate as nearly as practicable” the particular part of Bliss that discloses that the loop filter “126” is “for generating the phase-error signal” as recited in Claim 1.

According to Bliss, the loop filter “126” filters the phase error generated by a phase error detector “118.” See column 3, lines 57-58, column 8, lines 19-20, and Figure 4A of Bliss. Because Bliss discloses that it is the phase error detector “118” that generates the phase error that is filtered by the loop filter “126,” the Examiner may be tempted to consider the phase error detector “118” as disclosing the “phase-detection device” as recited in Claim 1.

If the Examiner considers the phase error detector “118” as disclosing the “phase-detection device” as recited in Claim 1, where does the phase error detector “118”

detects “sample-value series whose phase has been corrected by the phase-correction device” as recited in amended Claim 1?

According to Bliss, the loop filter “126” generates a frequency offset “ Δf ” that is transmitted to Bliss’s VFO “114.” See Figure 4A of Bliss. Bliss does not disclose that the phase error detector “118” is detecting the frequency offset “ Δf .” Because the phase error detector “118” does not detect the frequency offset “ Δf ,” Bliss does not teach, disclose or suggest “a phase-detection device for detecting said sample-value series whose phase has been corrected by the phase-correction device” as recited by amended Claim 1.

Hence, Claim 1 is patentable over Bliss and should be allowed by the Examiner. Claims 2-6 and 10, at least based on their dependency on Claim 1, are also believed to be patentable over Bliss.

35 U.S.C. §103(a) Rejection

Claims 7-9 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Bliss and further in view of Abdesselem (U.S. Patent No. 6,408,023).

Applicants submit that Claims 7-9, at least based on their dependency on Claim 1, are believed to be patentable over Bliss and Abdesselem, because there is no prima facie 35 USC 103(a) case based on Bliss, as shown above, and because the Examiner has not shown to Applicants where Abdesselem discloses, teaches or suggests the features not found in Bliss.

Conclusion

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

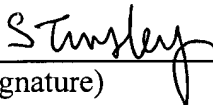
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(Date of Deposit)

Shannon Tinsley

(Name of Person Signing)

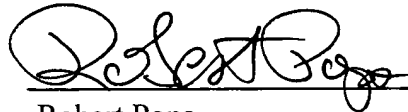


(Signature)

September 9, 2005

(Date)

Respectfully submitted,



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Encls:

Petition for a two-month extension of
time and extension fee;

Replacement Sheet;

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